

Message Text

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ACTION EB-08

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E.O. 11652: N/A
TAGS: EGEN, SENV, IN
SUBJECT: HOST GOVERNMENT ATTITUDES ON EXPORT OF
PRODUCTS BANNED OR OTHERWISE RESTRICTED IN US

REF: STATE 173239

1. ACCORDING TO MINISTRY OF COMMERCE OFFICIAL (A. HODA) FAMILIAR WITH GENERAL AREA OF INDIA'S INTERNATIONAL TRADE POLICY, THE QUESTION OF RESTRICTIONS ON EXPORTS OF FOOD UNFIT FOR HUMAN CONSUMPTION IS ALREADY UNDER DISCUSSION IN FAO CODEX ALIMENTARIUS COMMITTEE. IN THIS CONTEXT GOI HAS TAKEN THE OFFICIAL POSITION THAT GOVERNMENT OF EXPORTING COUNTRY SHOULD ITSELF PROHIBIT THE EXPORT OF SUCH FOOD PRODUCTS. BY EXTENSION, HODA SAID, GOI WOULD SUPPORT PROHIBITION BY THE US GOVERNMENT OF THE EXPORT OF ANY PRODUCT WHICH COULD NOT BE SOLD FOR HUMAN CONSUMPTION IN THE UNITED STATES. BESIDES FOOD, MOST NOTABLE GENERAL CATEGORY FROM INDIAN PERSPECTIVE WOULD BE DRUGS.

2. HODA RECOGNIZED THAT US CONSUMPTION STANDARDS WERE OFTEN FAR STRICTER THAN OTHER GOVERNMENTS MIGHT FIND
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REASONABLE. NONETHELESS, AS A MATTER OF BASIC POLITICS, INDIAN GOVERNMENT COULD NEVER BE PUT IN THE POSITION OF ACCEPTING FOR CONSUMPTION BY INDIANS PRODUCTS WHICH WERE UNFIT FOR CONSUMPTION BY AMERICANS.

3. ON THE WIDE RANGE OF PRODUCTS WHICH THE US MIGHT BAN BECAUSE OF THEIR INDIRECT IMPACT ON HUMANS (E.G. AUTO-

MOBILES BELOW CERTAIN EMISSION STANDARDS, INSECTICIDES), HODA FELT THAT REQUIRING AN IMPORT PERMIT FROM RECEIVING COUNTRY GOVERNMENT WOULD BE A REASONABLE REGULATORY PROCEDURE. HE EXPECTED THAT THERE WOULD BE MANY INSTANCES IN WHICH THE IMPORTING COUNTRY WOULD FIND THAT A PRODUCT DID NOT POSE THE SAME DEGREE OF RISK AS IN THE UNITED STATE. HE NOTED THAT GOI ALREADY HAD GOVERNMENTAL UNITS WHICH EVALUATED PRODUCTS FOR THEIR ENVIRONMENTAL IMPACT (IN THE DEPARTMENT OF SCIENCE AND TECHNOLOGY) AND, IN THE CASE OF DRUGS, FOR THEIR HEALTH BENEFITS (THE DRUG CONTROLLER).

4. ONE CONCLUSION OF HODA'S DISCUSSION WITH EMBOFF WAS THAT INDIA'S TRADE INTEREST IN THIS SUBJECT WAS LIMITED BECAUSE OF ITS GENERAL POLICY OF RESTRICTING THE IMPORT OF CONSUMERS GOODS (NO CARS, NO CIGARETTES, NO TOYS). ONLY IDENTIFIABLE SECTORS OF SIGNIFICANCE WERE FOOD, DRUGS AND CHEMICALS.

5. COMMENT: HODA'S RELAXED ATTITUDE TOWARDS IMPORT PERMITS (PARA 3 ABOVE) SHOULD ALSO BE UNDERSTOOD IN THE CONTEXT OF INDIA'S PERVASIVE "LICENSING MENTALITY." AN IMPORTER'S NEED TO OBTAIN YET ANOTHER PERMIT WOULD HARDLY BE NOTICEABLE HERE.
GOHEEN

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